

Message Text

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43

ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W
----- 112272

O R 121620Z MAR 76

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC IMMEDIATE 2793

INFO SECDEF WASHDC IMMEDIATE ZFF

AMEMBASSY ATHENS

AMEMBASSY NICOSIA

AMCONSUL ADANA

AMCONSUL ISTANBUL

AMCOSUL IZMIR

USMISSION USNATO

DIRNSA WASHDC

USNMR SHAPE

CINCUSAFE

CINCEUR

USDOCOSOUTH NAPLES

CINCUSAREUR

CINCUSNAVEUR LONDON

COMSIXTHFLEET

C O N F I D E N T I A L ANKARA 1990

EXDIS

MILITARY ADEES HANDLE AS SPECAT EXCLUSIVE

E.O. 11652: GDS

TAGS: MASS, MARR, PFOR, TU

SUBJ: TURKISH BASE NEGOTIATIONS: ARTICLE XXII

REF: A. STATE 59853 DTG 112339Z MAR 76

B. STATE 51936 DTG 032003Z MAR 76

C. ANKARA 919 DTG 032110Z FEB 76

1. DURING INFORMAL WORKING GROUP SESSION MARCH 12, MSA
COUNSELOR GARDNER AND GOT TEAM LEADER ASULA AGREED AD
REFERENDUM TO THE LANGUAGE FOR ARTICLE XXII, PARAGRAPH 2
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PROVIDED REF A.

2. WHEN ASULA EXPLAINED THAT US FORMULATION FOR ARTICLE XXII, PARAGRAPHS 5(A) AND 5(B) CREATED DIFFICULTIES FOR TRANSLATION INTO TURKISH, GARDNER AGREED TO SEPARATING AND RENUMBERING ARTICLE XXII, PARAGRAPH 5 INTO TWO PARAGRAPHS. BOTH PARAGRAPHS WILL HAVE IDENTICLA LEAD-IN CLAUSE AND ASULA IS STILL CONSIDERING GARDNER PROPOSAL THAT THIS LEAD IN READ: "IN THE EVENT OF TERMINATION OF THIS AGREEMENT AS HEREIN PROVIDED FOR" (REF B). ARTICLE XXII, PARAGRAPH 5 WILL NOW BE PREVIOUS US PARAGRAPH 5 (B) ON PIPELINE. ARTICLE XXII, PARAGRAPH 6 WILL BE FORMER US PARAGRAPH 5(A) ON WITHDRAWAL AND LIQUIDATION.

3. GARDNER PRESSED FOR FURTHER EFFROT TO IMPROVE PARAGRAPH 6 (FORMER PARAGRAPH 5A), WHICH HE SAID DID NOT RULE OUT IN USG EYES POSSIBILITY OF IMPOSITION DURING WITHDRAWAL PERIOD OF RESTRICTIONS SUCH AS HAD BEEN ENCOUNTERED UNDER PROVISIONAL STATUS. ASULA DISAGREED WITH THIS INTERPRETATION AND REJECTED AS UNNECESSARY SUGGESTION TO SPECIFY IN TEXT THAT COMMAND AND CONTROL AND SOFA PROVISIONS OF THE AGREEMENT WOULD CONTINUE IN EFFECT. HE STATED, HOWEVER, THAT GOT MIGHT BE WILLING TO PROVIDE DIPLOMATIC NOTE WITH THESE ASSURANCES IF THIS WAS ABSOLUTLEY ESSENTIAL. COMMENT: ANKARA NEGOTIATING TEAM PREFERENCES CURRENT FORMULATION (REF C) SINCE IT BELIEVES ELABORATION EITHER IN TEXT OR DIPLOMATIC NOTE WOULD TEND TO NARROW RATHER THAN BROADEN US RIGHTS DURING WITHDRAWAL PERIOD. IF WASHINGTON CANNOT ACCEPT THIS LANGUAGE, HOWEVER, SUPPLEMENTARY DIPLOMATIC NOTE WOULD SEEM TO BE ONLY POSSIBLE (BUT NOT AT ALL CERTAIN) MEANS OF BREAKING THIS IMPASSE BEFORE FOREIGN MINISTER'S VISIT. IF WASHINGTON BELIEVES NOTE WOULD SERVE USG PURPOSE, WE WOULD MOST APPRECIATE SUGGESTIONS ON ITS CONTENTS.

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Message Attributes

Automatic Decaptoning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, MILITARY BASES, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 12 MAR 1976
Decapton Date: 28 MAY 2004
Decapton Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: BoyleJA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976ANKARA01990
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760094-0448
From: ANKARA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760369/aaaacd1.tel
Line Count: 94
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: 76 STATE 59853
Review Action: RELEASED, APPROVED
Review Authority: BoyleJA
Review Comment: n/a
Review Content Flags:
Review Date: 03 FEB 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 FEB 2004 by morefir>; APPROVED <04 AUG 2004 by BoyleJA>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TURKISH BASE NEGOTIATIONS: ARTICLE XXII
TAGS: MASS, MARR, PFOR, TU, US, (ASULA)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006